

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

ALI SADR HASHEMI NEJAD,

Defendant.

Case No. 18 Cr. 224 (ALC)

JOINT STATUS REPORT

The parties respectfully submit this joint status report. Since the filing of the last status report on November 15, 2018 (Dkt. 71), the USAO Filter Team¹ has continued to work with counsel for Sadr to implement the joint privilege review plan. The USAO Filter Team and its technical personnel continue to work in parallel with defense counsel to find a method to cross-reference the USAO Processed Returns with the DANY Processed Returns.

The USAO Filter Team will continue to work with the defense to agree upon a final set of search terms. Both parties believe that such an agreement is imminent. The USAO Filter Team expects to release to the prosecution team within the next week the set of documents that did not hit on any of the search terms agreed upon by the parties. Sadr prefers that those documents not be produced to the prosecution team until a cross-reference enables the defense to verify that it has not identified any of the documents as privileged. In the interest of facilitating

¹ The defined terms herein have the same meaning as set forth in the November 15, 2018 joint status report (Dkt. 71).

trial preparation and based upon the USAO Filter Team's assurance that any inadvertent release of a privileged document would not be considered a waiver and would be subject to immediate claw-back, however, Sadr consents to production to the prosecution team of any documents remaining in that set as of December 6, 2018.²

The parties will review the set of documents that hit on one or more of the agreed-upon search terms or are otherwise identified by Sadr. The parties will attempt to resolve all privilege assertions, and if after conferring the parties are unable to reach an agreement with respect to certain documents, they will raise any disputes with the Court.

The parties propose that they will update the Court regarding these issues within three weeks, on or before December 20, 2018.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

by: /s/
Andrew DeFilippis
Matthew Laroche
Rebekah Donaleski
Assistant United States Attorneys
One Saint Andrew's Plaza
New York, New York 10007
(212) 637-2420

Garrett Lynch
Special Assistant United States Attorney

/s/
Reid H. Weingarten
Michelle L. Levin
STEPTOE & JOHNSON LLP
1114 Avenue of the Americas
New York, New York 10036
Tel: (212) 506-3900
Fax: (212) 506-3950
rweingarten@steptoe.com
mlevin@steptoe.com

Brian M. Heberlig (*Pro Hac Vice*)

² This will provide both parties with a week to work on a cross-reference and will provide the defense with a week to identify any further privileged documents that did not contain any of the agreed-upon search terms.

STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036-1795
Tel: (202) 429-3000
Fax: (202) 429-3902
bheberlig@steptoe.com

Counsel for Defendant
Ali Sadr Hashemi Nejad

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